

Minutes of a Regular Board Meeting held by the Town Board of the Town of Riverhead held in the Town Hall, Riverhead, New York on Tuesday, June 20, 1989 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilwoman

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited .

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Minutes of Regular Board Meeting held on June 6, 1989 are hereby dispensed and approved without objection.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Reports, Mrs. Pendzick."

REPORTS

Tax Receiver-Collections as of June 15, 1989. Filed

Supervisor's Office-Supplement to DEIS of "The Terraces at Baiting Hollow (Malibu East) for review and comment. Filed

Conservation Advisory Council-Minutes of Meeting held on May 22, 1989 and June 19, 1989. Filed

OPEN BID REPORT - Solid Waste Management Program. Filed

Bid Date: June 12, 1989
3 Proposals Submitted

#1 NAME: Malcolm Pirnie, Inc.

ADDRESS: White Plains, NY

#2 NAME: Holzmacher, McLendon & Murrell

ADDRESS: Melville, NY

#3 NAME: Dvirka & Bartilucci

ADDRESS: Syosset, NY

OPEN BID REPORT - OFFICE FURNITURE

Filed

Bid Date: June 19, 1989

3 Bids Submitted

#1 NAME: Legend Office Furniture

ADDRESS: Quogue, NY

TOTAL BID: See file for items bid

#2 NAME: Echo Printing & Stationery

ADDRESS: Long Beach, NY

TOTAL BID: See file for items bid

#3 NAME: Patchogue Stationery

ADDRESS: Patchogue, NY

TOTAL BID: See file for items bid

Supervisor Janoski, "Applications."

APPLICATIONS

Site Plan-Thomas Hespos, Rte. 25, Aquebogue to renovate an existing building for use as business office. Filed

Site Plan-Dr. Antonio Flores, Roanoke Avenue to renovate an existing building for two offices and apartment and addition of medical office space and garage. Filed

Fireworks Permit-Jamesport Fire Dept. for 7/22/89. Filed

Supervisor Janoski, "Correspondence."

CORRESPONDENCE

Melvin Henderson, 6/7/89-Letter of resignation from Sewer District. Filed

Vinnie Gianni, 6/8/89-Letter of resignation from Police Department effective June 8, 1989. Filed

Michael Kent, 6/7/89-Letter of introduction for Madelyn Regula as the Riverhead Chamber of Commerce's Director of Governmental Relations. Filed

N.Y.S. Dept. of Transportation, 6/12/89-Advising that Highway CHIPS money will continue. Filed

Century Farms Civic, 6/12/89-Advising of names of their newly elected officers. Filed

Harold Voelpel, 6/16/89-Objects to neighbor's plans to close one end of Telephone Street. Filed

Donald Jewell, P.C., 6/19-89-Advising the town that his client wishes to purchase and renovate building on Franklin Street as his residence and requests this as an alternative to town's demolition. Filed

Supervisor Janoski, "Thank you. The time for the first scheduled public hearing has not yet arrived. We have a list of Unfinished Business. Its status is reported on the agenda as to where it is in the process required. I would open the meeting to public comment on any subject at this time, anything that's on the agenda."

Dick Benedict, Riverhead, "I'd just like to discuss resolution 443 and 442. Evidently I left the last Town Board meeting before this was brought to the floor. Anyway, what are we going to do with the Computer Graphics Mapping Specialist and how many towns on the East End have Computer Graphics Mapping Specialists? And where did we all of a sudden get money for a Computer Graphics Mapping Specialist and was it in the paper, the job or is it just an appointed job? Do we have Suffolk County rolls where we could have taken a Computer Graphics Mapping Specialist from? What are we going to do 40 hours a week? And what Computer Graphics Mapping Specialist would work for that kind of money? Did Mr. Grodski or Townscape plant a tree that started to grow money? We went through it in the hallway. I'd like to hear it from some other...."

Councilman Pike, "You going to let me answer it this time?"

Dick Benedict, "Sure."

Councilman Pike, "Over the last three years, the town has embarked on a fairly ambitious program computerizing our operations. The fundamental reason for doing all of it of which this is a part of it.... You've got to let me answer this. The fundamental reason for doing all of it of which this is a part and a small part, is to increase the efficiency of operations

here. And as I think you know, computers do exceedingly difficult but also exceedingly boring tasks exceedingly fast. And it is also true that whatever you put into them, you get out. And the famous saying, garbage in garbage out is absolutely true. So you have to be very careful about how you enter information into computers because what you get out of them is only as good as what you put in. The primary efforts that we've done in computerization have been in the traditionally areas of number crunching, accounting being the primary application for that for the budgetary process, planning for how we spend our money. But in addition to that, we are now fairly well computerized for text applications, word processing, data base management and the ability to do a lot of direct mail very quickly or any sort of efficient improvement on how we put things out. There is however, throughout the country and this is true of every major growing municipality that has to provide public services, a growing entree into what is called "geographic information system". The reason for doing that is a lot of what we do is really quite visual. And if you step back and look at the town, you will see that we plan for the town and we have master planning documents that have lines and boundaries that deal with all the natural resources of this town. And if you think about them, they are quite extensive. We have the existing geology of the land. We have archeological sites. We have natural preserve sites. We have areas that have very high topography that we have to plan around and take advantage of without abusing. In addition to those, we have the existing infrastructure of the town. The water system, the sewer system, the road system, the hospital system, the ambulance protection. And all of those things have a geographic nature, a visual nature. In addition to that, we have to plan for the provision of services to a town of 22,000 which is still apparently going to 66,000 people. And to do so in a way that is as orderly and as organized as we can. In addition to all of that, we have all the different jurisdictions of coastal zone management. Perhaps a new waterways code. The zoning map itself for all of the rules and regulations that that has. And I can tell you from direct experience before I got on this Town Board, that there is no place in Town Hall where you can go and point to a map and say I live here. Would you please tell me everything that applies to my property. You can't get a straight answer to that question because it is all over Town Hall. The wetland inventories are filed over here somewhere. The building site plans are filed over here in the Town Clerk's office and you can't pull it all together. What a geographic information system does is allow you to do that in a comprehensive way. To put in all of the information that is geographic in nature, where the sewer line is and how that relates to the nearest wetlands system, where the water is, where the available schools are. And to plan intelligently and present people the information intelligently about how this town would grow, it would provide you the simple answer to the question. What can I do with my land? It would help you get to that by showing you what the constraints on that land were. That's the general idea of a geographic information system. The specific program that we've got here was tested

by us, comparison with a lot of other geographic information systems. It's put together by the Manitron Company. It runs on computer system that has a large digitizer pad and the ability to present to you in this meeting room in the future on a screen over here, the results of all of that work. It will be an ongoing live information tool that when we're having a discussion about land use planning and zoning in this room, that you'll be able to see exactly what we're talking about, where the lines are, what the other jurisdictional constraints are. I missed a whole list. Hydrologic zones, what sanitary code provisions apply to it and the conflicts of them. And I think you've been here long enough to see that there are a lot of conflicts between the jurisdictions. This will help make that a heck of a lot clearer to everybody. It provides a very efficient way of getting a lot of information that is spread throughout this Town Hall with no way to overlay it on top of each other into a useful mechanism for us to make informed intelligent decisions with. And as to the individual involved, he is somebody who I think you know. I think many of us know."

Dick Benedict, "I'm not against the individual."

Councilman Pike, "Well, you asked; why does he want to do it. One, I think; is he's a resident of this town who despite his party enrollment, can do a heck of a good job for the Town of Riverhead and he will do excellent work. He seems to be willing to do it because he knows that the town and the utility of what he is doing is part of the future of the town. Whereas, his current appointment may be part of the past of this town. I suppose he's here and he's got an active ability to speak. And if he wants to answer about why he's doing it, he can do that himself. But to answer your question, I think he wants to do a good job for the Town of Riverhead."

Dick Benedict, "Where are all these inputs coming from or generated from to be inputted into this computer and how would the average person know if they were accurate or up to date? Because I know a lot of generated computer information looks beautiful but it's obsolete the following week. Anyway, where's the money coming from?"

Councilwoman Civiletti, "Believe it or not, I want to add something to all of what he just said. I don't know if I believe that myself. Just by way of an example of what we can use this equipment and a person who knows how to use it for, by way of a great practical example that I think is very near and dear to your heart. If at some point in the future, we have on staff an engineer who is on staff and on the payroll in the Town of Riverhead, we can use a draftsman, like Mr. Heppner who we're appointing tonight, to use this system to draw street profiles and drainage systems designed by the engineer. It's a crucial component of the engineering capability that this town desperately lacks and desperately needs. As I understand it, using a computer and modern day drafting and design so that while

it's nice and important to have inventories of the kind that Rob just spelled out, there's a very practical day to day application from this in the town for things that we now rely on outside people to do. And that even in terms of the zoning map, every time we change the zoning district in the town or move a line, the Town Clerk has to get Young & Young to generate some zoning maps and there's a fair amount of delay. That's something we'll be able to do right here in Town Hall. There are lots of practical application. We purposely acquired this equipment. I think it cost something like \$79,000."

Dick Benedict, "Is it in use now?"

Councilwoman Civiletti, "No because we need somebody to use it."

Dick Benedict, "That's one of the reasons for getting somebody I would imagine."

Councilwoman Civiletti, "We made a decision to do that and because we discussed all the things that we could use this for...."

Dick Benedict, "Why didn't we get the person before the computers?"

Councilwoman Civiletti, "Because he wouldn't have had anything to work on. We had to get this equipment and I believe it's in the process of being hooked up and put on line. And the other thing is, I believe that we specifically put this in the budget."

Dick Benedict, "For a Computer Mapping Specialist?"

Supervisor Janoski, "No."

Councilwoman Civiletti, "We didn't. I thought that we had this in the budget. But we did buy the equipment."

Dick Benedict, "I would suggest in the future then like everybody else, after the budget is passed, anything over \$20,000 we should maybe have an open forum or let the people say what it is that we want to take on. You can make the final decision but tell us what you want to do with our money and see if we think it's practical because I know that computers become obsolete very fast and so does computer generated paperwork. And where this man is going to get all this input and who is authorized to just put inputs in there to him and he's going to be switching this week to sewers to maps to wetlands to H2M. It just doesn't make sense to me. It's too mind boggling. The man can't do it in forty hours if you want him to do all that."

Councilwoman Civiletti, "Obviously we'll have to prioritize what it is we want him to do."

Dick Benedict, "The other question I asked was the job put on the job opportunities and did we go to the County. Is there such a thing?"

Supervisor Janoski, "That was the one question that I want to take on because I am the Civil Service appointing authority for the Town of Riverhead. And as I have said in this forum on many occasions, you better believe that the proper procedures were followed. Because any improper appointment by this Town Board makes me personally financially liable for any mispayment for someone misproperly hired. Yes indeed we did go through the proper procedures. There was no Civil Service List. It was advertised. I don't recall how many applicants we had. I think it was three or four. Each were interviewed and a selection was made."

Dick Benedict, "And if we find out a year from now that all this generated stuff is six months behind schedule and we gain nothing, what do we do then?"

Supervisor Janoski, "Well, I don't have that pessimistic view Dick. In fact, I was going to invite you back in a while once we get it in operation, to demonstrate what it can do and see if we can get you to step up to that microphone and say; you know...."

Dick Benedict, "I'm not against computers. I understand we need them."

Supervisor Janoski, "But I want to invite you once we get under operation."

Dick Benedict, "But I also understand there's things in this town that to me, see more practical. And where we come up with the money all of a sudden, I can't understand."

Supervisor Janoski, "Like what?"

Dick Benedict, "Like those potholes I came over this morning or this afternoon to get here and the brush that I see needs cutting along the road and that so called civil engineer and the drainage problems."

Supervisor Janoski, "Well, the Town Board, hopefully in the next two weeks, will be considering an engineer. And one of the things that we find very exciting is what these two people can do for the town together. It happens to be the view of some folks on the Board that the professionalization and the automation that we are heading into, will have the end result of saving money for the town. You will find a resolution here tonight of us appointing an engineer for consulting work. I would love to be able to do that in house. Everyone has a different point of view. And I hope that after we get underway with this, that I can invite you down someday and demonstrate to you what it can do and maybe you'll say you did a wise thing. Maybe not but we'll see."

Dick Benedict, "I would like to congratulate Mark anyway because I know he'll do the best he can."

Supervisor Janoski, "Well, I think so too. Well, we have very neatly filled up those minutes. I will open it up later on but let the record show that the hour of 8:00 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, June 20, 1989 at 7:45 p.m. to hear all interested persons wishing to be heard regarding: **The demolition of certain structures within the Town of Riverhead pursuant to Chapter 54.**

Patricia Moore, Town Attorney, "A brief explanation for the audience of what we're doing. We have a chapter in the code that is entitled Unsafe Buildings and Collapsed Structures. This gives the town the opportunity to investigate to inspect property and to advise a property owner is in such a dilapidated condition or unsafe condition that it's advisable for the property owner to either make a building permit application, renovate the property or demolish the structure. At this point, we have four different properties that have been noticed and which have not complied to date. I'll mention briefly the property, where they're located and the tax map number and I have some comments on... Or the comments I've received on at least one of the properties which is a property owner who has been in contact with us and who is making an effort to renovate the building. The first one is Brown. It's on Osborn Avenue and the tax map number is 600-81-2-28. The second is County of Suffolk and it's Franklin Street and the tax map number is 600-126-2-27. If anyone does not understand Suffolk County Tax Map numbers, I'll explain if you come to the podium. Third is again the County of Suffolk. It's on Osborn Avenue. The property is located at 600-124-2-9. And finally, E.G. Smith. Excuse me. E.G. Smith at Raynor Avenue, 600-124-2-9. And finally, Wickham Tyte at Hubbard Avenue and East Main Street; Suffolk County Tax Map number 600-111-1-1. As to the Smith property on Raynor Avenue, Mr. Smith has been in contact with us. He is seeking to renovate the building. He has contacted an engineer to do the renovations to design the renovations and this property will be adjourned giving the property owner time to renovate. Finally Wickham Tyte, that building has been demolished. So there is essentially no further need for this public hearing as to Wickham Tyte. If you have any questions."

Supervisor Janoski, "Obviously by the mere fact that we called the public hearing on these properties, a number of steps have been taken. The report, I believe included the Hubbard and Main property which has been demolished simply by the calling of the hearing, two of the properties will hopefully become town

property through the County of Suffolk for our community development office and there is the promise of (hopefully) certain buildings be rehabilitated. So having said that, is there anyone who wishes to further address the public hearing regarding these buildings? Yes."

Ed Kowalski, "I'm representing Mr. Wilczewski who doesn't speak English and he's the one who would like to renovate the building on Franklin Street. He was in contact with the County of Suffolk and trying to buy that property. They referred him to the Town of Riverhead and the property will actually be sold to the Town of Riverhead. Now, we did receive a letter from Donald Jewell who was unable to come here tonight. Now, I'm going to introduce Mr. Wilczewski to you. He doesn't speak English at all. He works for St. Isidore Church and School and he lives right next door to that property."

Supervisor Janoski, "Can I maybe help you out a little bit. As a matter of fact, he has auxiliary Bishop McKavitch working for him and he was in contact with my office today. That is one of the properties that we are seeking to take over as a Community Development Rehabilitation Project. What he has to do is come into Town Hall, fill out an application for that particular home. When it is completed and he will be considered an applicant. And what we usually do is select the person by lottery. But he will have the opportunity to be included. And what he should do is come into the Community Development Office which is right there and make that application at his earliest convenience."

Ed Kowalski, "The only problem I see that by lottery pick, the building could be quite expensive. And he is willing to renovate the building himself and he is very familiar with work to be done. The cost of the improvement would be much much lower than the town would have to pay for it."

Supervisor Janoski, "I wouldn't dispute that. What you're saying is that you want to acquire that property from the County of Suffolk."

Ed Kowalski, "That is impossible."

Supervisor Janoski, "Why don't you contact the Town Hall tomorrow and we'll see what the situation is. The Town Attorney says you can stop in to see her on Thursday. Thank you. Is there anyone else present wishing to address the Town Board? Yes."

Frances Brown, "I'm speaking for my father. The Brown property. I have no idea where my father is. I'm trying to locate him about this because I just got these papers myself. I have been in and was asking about it. So if they demolish the property and I still haven't gotten in touch with my father, do we still have to pay whoever knocks that building down?"

Supervisor Janoski, "The cost of the demolition would be placed as a lien against the property. And at such time that the property were sold, that lien would have to be satisfied. But you wouldn't have to pay when the demolition is done. I think that's your question."

Frances Brown, "Yes. If they go knock it down right now, we don't have to pay it until it's sold."

Supervisor Janoski, "Yes. Steve."

Steve Haizlip, Calverton, "Where is Franklin Street? I thought I knew all the streets in town but apparently I don't know where that one is."

Councilman Lombardi, "Where the pond is."

Steve Haizlip, "Down in there. The attorney up here or the representative stating that his client wants to purchase this building and renovate it. Now, it sounds like a good idea with the housing shortage. But first off, before this building can be renovated, was our town inspectors, building inspectors go in and make a survey and an inspection of the structural soundness of the basic structure so it can be built up around?"

Supervisor Janoski, "Basically what we do as part of this procedure is we have an inspection of the property done and we do have a report from Don Jewell who is that architect. Of course should he become the owner of that building, he would have to obtain a building permit."

Steve Haizlip, "I understand all that."

Supervisor Janoski, "And to get a building permit, you must have plans. He can't simply go out there and decide he's going to renovate without a building permit and those plans must conform with whatever structural requirements are necessary and whatever the building code says he must do. And hope that..... Where did he go? I hope that his attorney explains that to him. You simply can't go in there and rebuild this house. It has to comply with town code but I'm sure the Town Attorney will at some point."

Steve Haizlip, "Well, all right. I don't want you to take me as being debatable. This house..."

Supervisor Janoski, "Why would I ever do that?"

Steve Haizlip, "Well sometimes you say I'm arguing with you or I'm arguing with you or debating. No, that's not the case. This property, I think was probably built before public law 262 came into effect in this town. Now, if that's the case, then some of the structure that's meeting current standards but was all right before public law 262. Is any consideration or waiving of any of this stuff for the man?"

Supervisor Janoski, "No. What this law addresses....."

Steve Haizlip, "Well, he might as well tear it down and forget about it because that's what they're going to find."

Supervisor Janoski, "What this law addresses is dangerous and hazardous structures. So it has been deemed to be a dangerous and hazardous structure. That is not to say it can't be rehabilitated which is why there is the provision in the law that should the owner wish to repair it, that that is an option that's available. But when you repair a structure in 1989, it must comply with the law as it is in 1989."

Steve Haizlip, "Ok. I don't think that he should really have to go through this lottery. I don't know unless there's some state law or county law. If it's in this town and it needs to be put up and he's willing to buy it and he's the first one there, I don't think you have to go through no lottery because that just prolongs things."

Supervisor Janoski, "I would agree with you Steve that if he can't work out a direct sale or purchase from the County, that removes us as the middle man. But he's still going to have to get a building permit. Is there anyone else who wishes to address the Town Board on the matter of structures? Ok. Without objection, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 8:00

Supervisor Janoski, "Madelyn Regula, there is a letter that has been read into the record (Madelyn, are you listening?) introduces you as the Director of Governmental Relations for the Riverhead Chamber of Commerce. Why don't you stand and be recognized so that everyone knows who to go to in the future. There are about four minutes remaining until the next scheduled public hearing. Is there anyone who wishes to be recognized on any subject? Steve."

Steve Haizlip, Calverton, "I want to pick up on some of the comments that Dick made on the appointment of Mr. Heppner. Now, at the last meeting and reading Sue Miller's paper, the News Review. Now, first off, I want to say that I don't know if you're going to think any more of me or any less of me. But if you don't say what's on your mind and what you're thinking, then it's a sign of weakness and I ain't going to have no weakness. So now, it seems like at the time when this salary was announced, it was announced at 21 thousand some odd dollars. But now I'm beginning to believe that it's sort of like a sale that you see in the paper. Subject to change without notice. Now, if I read Sue Miller's paper right and if I'm wrong, correct me and if she's wrong, say she's wrong. But it sounds like there was some paper shuffling going on up there and then the paper shuffling while John was reading and it goes back and reminds me of a little antidote from one of the guys that use to be at work. So

it seems like every Thursday his wife said on payday I'll take care of it but then she would just put up the little dress a little bit and run and say you had your chance. So now, what you're saying is John had his chance to look at this paper but he was reading and he didn't have the chance."

Councilman Lombardi, "There was no resolution handed to me so I did not know what the salary was."

Steve Haizlip, "But John it was announced at 21 thousand and some odd and you said I don't want to see this going to 30 thousand into this year. Well, it didn't go to 30. It went to 25. But if I read the paper correctly, you're not too happy about it and the paper shuffling went on."

Councilman Lombardi, "That's correct."

Steve Haizlip, "So in other words, the comments are; you were sleeping at the switch because you didn't see that 25 as it passed under your nose."

Councilman Lombardi, "Steve, I have to disagree with you. I was not asleep."

Steve Haizlip, "I said the comments are."

Councilman Lombardi, "The comments are what was done up here with this Town Board between three members of the Board that shuffled the papers between themselves."

Steve Haizlip, "Ok John. Thank you for the answers."

Supervisor Janoski, "Thank you Steve."

Steve Haizlip, "By the way, Mark is a fine fellow. I've known him for a long time. So I'm not speaking against him on this thing, honest. I'm speaking of the procedure. Let me put it this way. Maybe what Mrs. Moore said is not illegal and it's legal but I believe it was unethical."

Supervisor Janoski, "Thank you Steve. You got us right to the right point in time. And let the record show that it is 8:05 p.m. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, June 20, 1989 at 8:05 p.m. to hear all interested persons who wish to be heard regarding: Extension 34D to the Riverhead Water District.

(See Water District Minutes)

8:05 PUBLIC HEARING CLOSED AT 8:09

Supervisor Janoski, "Steve, I have five minutes here. Do you have your hand up? Come on up. Come on down."

Steve Haizlip, "Mr. Janoski, I'd like permission to address the Highway Committee. That's, I think Mr. Boschetti and Mr. Lombardi. Going north on Edwards Avenue when you get to Route 25, if you want to make a right on the red light, now in order to be sure that you're clear, you will move up and be in the coming lane of traffic going east. The reason for that is the grass and the shrubbery is so high on the bank of that road that it extends up to the west here. Now, if it was cut down and even, you'd be able to see out there. So, I've always been informed that you always have to call the Highway Department when you want something done. Well I think that would be true if it was something of unusual nature. But in order just to..... These trucks make a reconnaissance up and down the road all day and they should be able to tell the intersections that need clearing along the banks so people can see up and down them. Maybe it's a little rough when you start looking straight ahead."

Supervisor Janoski, "Steve, could I answer that before you get onto your next thing? The Highway Department in the case here, is the jurisdiction of the State Department of Transportation. And I'm sure you've seen them out along 25 and 25A cutting the grass. This rain that we've had has made things grow very quickly including strawberries. Perhaps we can give the state a call and inform them of this situation at that intersection. Maybe they can get to it a little quicker but the state cuts the grass along that roadway."

Steve Haizlip, "I realize that Mr. Janoski and like I've said once before, by the time I get away from work and get to the house and so forth, they've already took off from the barn. So I just can't get there and it's just a bother to go looking up numbers in the yellow pages under government and so forth. So like I said, we have you people here. And so far I've been well pleased from what I've gotten on the complaints that I've put in on there. Second one; I know we've already discussed this John and Mr. Boschetti and that's that Calverton Deli. Because I realize the weather was very bad and lots of rains. But now I think it's starting to clear up. So that ought to be levelled out so those big trucks coming in there will be able to pull in nicely and get their sandwich and coffee and so on."

Councilman Lombardi, "I spoke to the state on that Steve. They're going to take care of it. That's when I spoke to them about that sign we changed. I'll talk to them."

Supervisor Janoski, "I believe that's about it Mr. Janoski. Thank you."

Supervisor Janoski, "Thank you Steve. I'm almost afraid to ask this but I have two minutes remaining until the next public hearing. Is there anyone wishing to be recognized? Henry. Thank you Henry."

Henry Pfeiffer, Wading River, "Most of us take the time and trouble to get up here and make complaints. At this point, I'd like to take the opportunity to pay compliments to the town fathers and especially to the Town Recreation Department for the very very fine job they did in the picnic for the elderly last Friday. There was a tremendous decision made. The picnic was originally scheduled for Thursday and we didn't have enough umbrellas. So we postponed and continued on. And early on Thursday morning someone had to make a decision as to whether or not to go on with it or postpone it for another week. In which case we would have lost some of the entertainment facility and probably the food would not have been quite as tasty. The Recreation Department and the person of Stanley Grodski, Jane Van den Thoorn, Pat Perry did make such a decision and I think several of you were present there and find out it was a very very fine picnic. It was something not only that the seniors enjoyed very very much but it was also a tribute to the growing abilities of the town to keep them people happy and I want to thank them. Thank you."

Supervisor Janoski, "Thank you Henry. Perfectly it is 8:15 p.m. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:15 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, June 20, 1989 at 8:15 p.m. to hear all interested persons wishing to be heard regarding: Extension 37A to the Riverhead Water District.

(See Water District Minutes)

8:15 PUBLIC HEARING CLOSED AT 8:19

Supervisor Janoski, "Before we take up the resolutions, is there any question or comment on anything that's on the agenda?"

Nancy Gassert, Riverhead, "I was just wondering if there's been any movement at all on the recreation center project scheduled for Stotsky Park? I understand if we do not move on this quickly, we will lose that HUD money."

Supervisor Janoski, "You talking about the 55,000 that we have?"

Councilman Pike, "The 55,000 HUD money was specifically designated for the land acquisition that is not currently within our reach. The price of that, by the time the money was avail-

able, tripled and is completely out of our reach. You would have to reapply to use it for any portion of the Stotsky Park capital facility itself anyway. I think as a practical matter, the recreational, a new community center is at the moment, not moving anywhere because of budget concerns."

Nancy Gassert, "Ok, thank you."

Supervisor Janoski, "And I did by the way, as a matter of fact, have a conversation with the New York City office today and I outlined to them what had been done so far and they seemed very pleased. We have had the preliminary needs inventory done, the preliminary architectural design and model built. Right now it's a question of financial considerations, how to pay for building it."

Nancy Gassert, "Thank you very much."

Supervisor Janoski, "Thank you Nancy. George."

George Schmelzer, Calverton, "I can't call you all the town fathers because you got one town mother or would you rather be called a sister? What's being done if anything about this recreational river business?"

Supervisor Janoski, "Well, I have a letter on my desk from Senator LaValle to Commissioner Jorling, the D.E.C. Commissioner, asking that they reconsider the rules of the Wild, Scenic and Recreation Rivers Act and make some changes to them. It's not enough to make me happy but that's basically all that's happened."

George Schmelzer, "That's all? That's not much. Why didn't you ask them to back it up to West Calverton. Gee whiz, my neighbors tell me that these canoe boaters come up and ask to use their bathroom or use their shorefront for number one and two. You can tell them that too. And really nothing is being done. I contacted the office of our State Assemblyman. He said he has been in communication in the past. He said whereby the Town Board asked for some of this. I said show me a copy and he ain't got no copy. They can't find it."

Supervisor Janoski, "You're right George. Because one of the rumors that I heard was that this Town Board or previous Town Board had passed a Home Rule message asking for it. Absolutely patently untrue. But we have passed a number of resolutions opposing it."

George Schmelzer, "Well, that lousy resolution made in March, that was bad. It's getting very bad in town. I heard the Town Board thinking about getting a town engineer now. What for? Is that true?"

Supervisor Janoski, "Yes, absolutely."

George Schmelzer, "Well, I think you'd be better off getting a town shrink."

Supervisor Janoski, "I have to agree with you."

George Schmelzer, "Plenty of places in town could use it. I'm not going to mention the names though."

Supervisor Janoski, "George, there's two more minutes. I need two more minutes from you."

George Schmelzer, "From me? You might not want it. I'll reserve the two minutes."

Supervisor Janoski, "Ok. Alice, do you have any report to make from the Preservation Committee? Wait a minute. I saw a hand over here before."

Clara Williamson, "I wasn't going to say anything but since you need a minute, I think I've got about that. First of all, I want to say this because I didn't say before, I want to thank Councilman Lombardi so much for helping us in the Gables and the Town Board for being behind him and helping us down at the Gables. I may not seem to some of you that we haven't come a long way but we really have. And I'm very thankful. Mr. Lombardi got us totes down there and we took away a lot of garbage. And sometimes I think it came from somewhere else and all of it I'm grateful. And I just want to say thanks to you. And I want to know while I'm here, when are you going to get rid of some of those broken down houses over there where we are because we have alot of them over there too. But I know you're going to work on up to me. And I'm going to still keep noise and let you know that I'm still here."

Supervisor Janoski, "Thank you. Let the record show that the hour of 8:25 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:25 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, June 20, 1989 at 8:25 p.m. to hear all interested persons wishing to be heard regarding: Repeal of Chapter 106 and adopt a new Chapter 106 entitled "Waterways".

Supervisor Janoski, "Now may be a good time to introduce Jim Divan who is the Bay Constable who has come out of his training with the Academy and Jim did you want to address this."

Jim Divan, "If there were any questions on it, I'll try to answer them."

Supervisor Janoski, "He's also very shy. You're single aren't you Jim?"

Patricia Moore, Town Attorney, "You didn't let me out of this one. You're the expert on this so you're going to have to supplement what I have to say. We want to pass regulations that would regulate the waters in the Town of Riverhead and it would include boats within the waters. From the many things that are in this resolution or this ordinance, we would cover anchorings, docks and moorings; define what is a hazard to navigation and abandoned vessels; regulate the speed and wreckless operation of vessels; provide that no person under the age of 16 years can operate a motor vessel on the navigable waters of the town unless they are trained. Water skiing...."

Supervisor Janoski, "Why don't you just go give us a synopsis of the provisions."

Jim Divan, "For the most part, the ordinance is the same. We just amplified it a little and brought it up to date with many other towns on Long Island. Since the waterways in Nassau and Suffolk County aren't covered by New York State navigation laws per say, we're forced to create our own to order to enforce waterways. We have to make up our own. So basically we really haven't changed that much except in the way of adding to what we have. We still have basically the same sections for the act."

Supervisor Janoski, "Is there any comment, question on the...? Dick Benedict."

Dick Benedict, Fanning Boulevard, "I guess I have one basic question. I've been around since 1957. I've spent a lot of time on the Bay but I've never had a clear cut map or definition of what was Riverhead town waters with the King's grant and Southampton town and the Bays that used to be wetlands is now water. What is Riverhead town waters and where is he going to patrol? Where is his jurisdiction begin and end and is there a map that we can get our hands on?"

Councilman Boschetti, "There is a map. The map was done back when we passed resolutions and ordinances regarding the jurisdiction of the Bay bottoms. I believe it's filed with the Town Clerk but I have a copy as well."

Dick Benedict, "I have one from Sawicki and I have one from Riverhead town but then it gets to Kings grant and what use to be wetlands and what use to belong to Southold and is any of this enforceable in the court of law."

Councilman Boschetti, "We believe it is."

Dick Benedict, "And his jurisdiction is half way across the Bay, all the way across the Bay, Flanders Bay?"

Councilman Boschetti, "Only within the township of Riverhead. One of the things we are trying to do is work out a cooperative agreement with Southampton town so that the Bay Constables may cross that boundary in pursuit or if they're just patrolling. But we have not gotten very far with that yet."

Dick Benedict, "Are our laws clear cut and defined so that you have to have your permit in your pocket or on your boat? A current permit for whatever; shellfish, if there is any such a thing anymore as shellfish. I don't think the D.E.C. even touches the water anymore. I think they just said it's easier not to clam at all. They don't have enough people."

Patricia Moore, "This regulation, I don't believe, has anything to do with the shellfishing. Only on operation of vessels. We have a separate ordinance."

Dick Benedict, "I think a lot of people are going to be surprised when they see Bay Constable because I don't they're going to know we're doing permits or if they have the right permits or what. Because I don't think it's been that big a problem over the past few years. But now there's going to be law enforcement, I think you have to define the laws a little better. Maybe publish some of these laws and maps that he's going to be enforcing."

Councilman Boschetti, "That's exactly what this is."

Dick Benedict, "Thank you."

Supervisor Janoski, "Do you have anything to add Jim? You don't have to."

Jim Divan, "Several people have already been surprise at my being out there. But I'll be fairly visible with the boat and everything. A big part of my job I feel, is not so much law enforcement as it is instruction. There's a lot of people out there that don't know what they're doing. And if you can tell them why they're doing something wrong, instead of just giving them a ticket, then they'll understand better and they won't repeat what they were doing."

Supervisor Janoski, "Councilwoman Civiletti."

Councilwoman Civiletti, "Jim, does this ordinance have anything.... I'm not a boater so I don't have the terminology. So I'm going to put this in a lay person's terms. Does this have anything to do with dumping or releasing or discharging septage from the boats?"

Jim Divan, "Yes. In fact we changed the sanitation ruling to match that with the New York State navigation laws. It's more comprehensive as to what's being discharged as far as that goes. I guess Peconic Bay, they're trying to find out if it can be put

down as a no discharge zone as far as marine waste and that kind of thing. But we did change it so that it meets the New York State laws and then if they revamp theirs, ours will change automatically."

Councilwoman Civiletti, "You're going to be enforcing that?"

Jim Divan, "Yes. Basically, when I do a boat inspection, if it's a large boat that has a marine sanitation device, I'll go on board and inspect the device to make sure the valves are in place and that it's performing properly and not pumping over the side."

Councilman Pike, "I wish you luck with that one."

Supervisor Janoski, "Anyone else? Yes."

Betty Brown, Jamesport, "I just have a question that perhaps someone could verify. You mentioned that the children or the people using the boats would have to be 16 unless they went to the training session. How do you... When does that begin? Are any of the past boaters grandfathered? I know that there are an awful lot of 14 and 15 year olds out there that have been on the water for many years and ski and they turn the boat over to the next guy and did not necessarily go through the boating course but had lots of experience. Are they now not allowed to use a vehicle out on the water?"

Jim Divan, "I believe actually this week I saw it on the t.v. that in the Riverhead Library they're having the Power Squadron and Coast Guard Auxiliary are running boating courses, safe boating courses for children from 9 1/2 to 15 1/2."

JIM DIVAN SPEAKING FROM AUDIENCE WHICH STATEMENTS ARE NOT AUDIBLE.

Betty Brown, "My point is that the children don't know that that would be required and my children have all taken that course but there are many of their friends that have and don't realize that now unless they quickly sign up for this, they're not going to be allowed on the water. And I think maybe we better get the message out to the kids or they're going to be out there in the summer like they've been in the past."

Jim Divan, "I agree with you. For the most part, the children that are out there riding, they won't have a problem unless they're doing something wreckless. I don't know if I could really, as I went by a person in a boat, unless he was 9 years old or 8 years old to see that unless he was doing something wreckless and I pulled him over to begin with."

Betty Brown, "Didn't you just state that they would be required?"

Jim Divan, "But it's as with anything. You don't know if somebody is driving a car if they don't have a driver's license unless they do something where you pull them over."

Councilman Pike, "Let me follow up with her question. I'll give you an example. Does this apply to the tender of a boat that's got a three horse power on it because I was running those things around when I was four."

Jim Divan, "It's basically, as the regulation is in all the town codes and in New York State, it applies to any motorized vessel which is a six foot rubber raft with a three horse power motor."

Councilman Pike, "Are you saying we're just bringing to the town level laws that already exist."

Jim Divan, "Possibly one thing.... I'm going to say this because this regulation once we pass it, before it can actually be enforced as far as my understanding goes, it has to go to New York State and be passed on by the New York State Marine Recreation Department. So it's not something that's going to be in effect instantly tomorrow if we pass it now."

Councilman Pike, "But it's your preference that it be passed."

Jim Divan, "Yes, we have to pass it initially before it is to be submitted to them for New York State approval."

Councilman Pike, "To the extent that you can do so without being less restrictive than existing state law, you ought to take look at how we're dealing with younger boaters and smaller boats. Because as a practical matter for those people who grew up on the Bay, I mean you're in from.... I could probably swim before I could walk."

Jim Divan, "I'll agree with because I never had one myself. I'm a licensed Third Mate now. I've been to a Maritime College but I've operated boats since I was probably 7 or 8 years old. But waterways were much less crowded back then also."

Councilman Pike, "True. But the other practical suggestion we're making I guess, everybody collectively, is that the educational part of this and the discretionary part which obviously is in your hands as to who you're enforcing and how you're doing it is something that has to be handled very carefully because you do want people to gain experience to learn what they're doing. And the practical experience that most of the people that grew up on the Bay have, is better most training sessions will ever get."

Patricia Moore, "I'd just like to add one thing. We do allow a child that is 10 years old with a boat certificate. So if they have the training, then they can operate the boat at 10

years of age. So I would encourage, I'm sure the Board would, to have the children get this boater's certificate so that they can operate on the waters."

Councilman Pike, "Pat, is that saying that somebody who is 9 years old, can't operate a boat in the waters of the Town of Riverhead?"

Councilwoman Civiletti, "Yes, age or older, 10 or older."

Jim Divan, "That's the way it is, I would say in almost every other township on Long Island and through New York State Navigation Law as well. It has to go the same thing with a car. You have to set a certain limit on when you feel a person is capable of operating a vehicle."

Supervisor Janoski, "Thank you Jim."

Betty Brown, "If I could just add that we investigate a little bit more the age put on this if in fact it's going to be legislated and enforced. Is 16 the age or perhaps another age better?"

Supervisor Janoski, "Henry, on this subject?"

Henry Pfeiffer, "Mr. Benedict, a moment ago, raised the question of geographical limits of jurisdiction. And I'm wondering if there's not another jurisdictional limitation that we have not faced. How do we handle the Coast Guard's authority? What size boats do we go up to? Do we go up to the boats that pass through on to the ocean maybe dumping oil or garbage over the side? Is that within your jurisdiction? Are you concerned with the loading of the vessels and the potential markings and so force? You're a graduate of a marine college?"

Jim Divan, "Right. As far as... I'm not sure if you're referring to possibly the North Shore and the Northville Terminal where we have ships coming in that are loading and unloading. As in other towns, in the Town of Huntington in particular because they have a LILCO platform similar to ours out here. When a ship comes in, they will monitor the hookup and disconnect of the ship to make sure there is not an oil spill or to be contacted immediately if there is an occurrence. As far as pleasure vessels of large size, certainly I can board those as well. Documented pleasure, I can board those. Documented commercial, I can get on them or detain them until the Coast Guard can do an inspection. Anything in our waters can be boarded."

Councilman Pike, "Basically, you'd find that we have concurrent jurisdiction with the Coast Guard in all navigable waterways. I think in all the time I've been on the Peconic Bay, I've seen a Coast Guard vessel twice, exactly twice in about the last 30 years in the waterways of the Town of Riverhead. So they're not paying much attention to us."

Supervisor Janoski, "Any other comment? George."

George Schmelzer, "Councilman Pike mentions navigable waters. What's your definition of navigable waters?"

Councilman Pike, "You and I have had this conversation. Do you want to do it again?"

George Schmelzer, "Well, lets make it official."

Councilman Pike, "The traditional common law that definition of navigable waterways, in the case law of the United States Government, waterway big enough to float a log down. A timber log obviously from the forestry operations. That has, since, been codified a little bit more precisely in the United States Code. I don't have that definition in my head. We're doing our own here. But there is always that lovely little argument that Allen Smith made about whether or not the Coast Guard had jurisdiction over the bridge we put over from one side to the other of the Peconic River. It would be hard to argue that you can navigate into Grangebél and through it up to the Peconic. So if you're asking me a practical question that applies to you, I don't think that's real navigable."

George Schmelzer, "That's okay. You can't crawl up a dam like a salmon. Maybe if you put some salmon in there, they'd jump up. Now, there's a six inch plank in that dam making the waters of that so called Forge Pond or Mill Pond or whatever it use to be called, a half a foot higher than it would normally be when controlled by the weather. Below that, there's a 16 inch high concrete block which nobody can mess around with. It's been there since '32. But on who's authority and who put that plank in?"

Supervisor Janoski, "George, this is a hearing on the provisions of this waters act. I don't know what your question pertains to."

George Schmelzer, "This is water too. Water is going..."

Supervisor Janoski, "Well no one on this Town Board took that action. That's the best answer I can give you."

George Schmelzer, "And who controls the dam? The D.E.C.? Anybody can get there in the middle of the night or the town or whatever."

Supervisor Janoski, "There are certain dams that are under the control of the town. There are some that are private."

George Schmelzer, "I mean this one."

Supervisor Janoski, "I don't know. There has been an inventory done by the D.E.C. and probably they could best answer your question."

George Schmelzer, "They give only weasels. They're worse than the Town Board to get answers out of and that's bad enough. You asked for it Joe. Who paid for that dam in 1932, was the towns of Riverhead and Brookhaven. I think it cost them 10,000 to build. Now, the railing on the easterly side has been knocked into the raceway and went over the cliff there and it's under water. Now, I understand that the D.E.C., you're not supposed to do anything to a dam without a permit. So let them fix the d--- dam. One dam has an in and the other doesn't. See what their answer will be. It's somewhat dangerous now. There's several days that rain was there. So it's a good thing it's pushed over somewhat. Someone leaning against it as heavy as me or you would fall in with it there. Could have got killed but that's the story of that dam. Nobody has told you about that?"

Supervisor Janoski, "As a matter of fact, yes. The Highway Department has been alerted. I understand that the maintenance crew put up some barricades."

George Schmelzer, "They put a rope there and a rope is better than nothing but there's not much to tie it to. So have you contacted the D.E.C. to tell them to fix the d--- thing. Then if they claim it's not their jurisdiction, let them put in writing because it's good to have. Not just call them up. Write them and get an answer from the S.O.B.s. How about it?"

Supervisor Janoski, "You're right George."

George Schmelzer, "Thank you. Probably when I sit down, I'll remember something else but it's too late."

Supervisor Janoski, "Too late then. Steve."

Steve Haizlip, Calverton, "I want to follow up a little bit on what Mrs. Brown had to say. And that was about establishing an age for youngsters to be on motor boats. I believe that the subject is motorized motor boats, yachts or whatever they may be on the waterways because I know it doesn't apply to little tin canoes where they rent and go up the river and down in there. But when you're out here on this Peconic Bay which is the biggest part of the body of water in there, I believe that people of 16 years and older would be more level headed and calm and be able to handle a crisis that came up quicker than maybe some 9 or 10 year old youngster. I'm not saying he can't steer it on a straightaway and so forth. But in case some crisis came up, the reaction time and so forth for the 16 year old would be responding quicker. So I definitely recommend that 16 and up to be operating any big large power boats out there. As a matter of fact, anything that's motorized on that Bay. Thank you."

Supervisor Janoski, "Thank you Steve. Any other comment? Simply put, we are now entering into the summer season. The past years have demonstrated that on occasion, there is pure mayhem out on those waterways including jetskis. And this is intended

to give us the ability to enforce rules and regulations concerning the operation of motorized crafts on the waters. We can have a discussion about age limits. But the phones here will start ringing soon once the summer season gets underway and we need to update our ordinances so we can act effectively. Jim, I want to thank you very much. Before we take up the resolutions, is there any comment of anything on the agenda, any question? Without objection, the hearing is closed. There being no one asking to be recognized, let's take up the agenda."

Resolutions #423 - #464 found on pages 691-796 of the 1989 RESOLUTION BOOK.

#437 AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE ADDITION OF A CHAPTER TO THE RIVERHEAD TOWN CODE ENTITLED "COASTAL ZONE MANAGEMENT".

Councilman Pike, "We have, with the assistance of the C.A.C., developed a coastal zone management code which will be the subject of a hearing at 7:55 on that meeting of July 5th at Town Hall. This publishes and posts that."

#442 RESCINDS RESOLUTION #422 ENTITLED "APPOINTS COMPUTER GRAPHIC MAPPING SPECIALIST".

#443 APPOINTS COMPUTER GRAPHIC MAPPING SPECIALIST.

Councilman Pike, "So that there will be no confusion about the appointment or the salary that Mr. Heppner will be making, we have two resolutions which I will move separately for vote. They are 442 which rescinds our original resolution. I move 442."

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Pike, "I would then follow by moving 443 which appoints Mark G. Heppner as the Computer Graphic Mapping Specialist for the Town of Riverhead at the annual compensation of \$25,549.18 on Group 6 Step P of the Administrative Salary Schedule. I move 443."

Councilman Boschetti, "A comment before voting. When it came to voting on 422 which was hiring Mr. Heppner at the salary I thought was at a \$21,000 level, I had no problem with it. In fact, I have no problem with Mr. Heppner and I quite agree with some of the comments that were made about his character and ability. I couldn't agree more. My problem is with the amount of money that this particular resolution states. I think that we should be sticking with the amount of money that was stated when people were interviewed. This was not the amount of money that was stated when people were interviewed. Therefore, I vote no."

Councilman Lombardi, "Well, I guess I started all this and I have nothing against Mark. And as I said the last time, Mark is a very capable person and I respect him. The reason I'm voting no is on the salary. I interviewed Mark at \$21,490 and it was not that way when it came up to vote. So I have to vote no."

The vote, Boschetti, no, Pike, yes, Civiletti, yes, Lombardi, no, Janoski, yes.

The resolution was thereupon duly declared adopted.

449 RE-APPOINTS PATRICIA TORMEY MEMBER AND CHAIRMAN OF THE RIVERHEAD ZONING BOARD OF APPEALS.

Councilman Pike, "To go to a happier subject, Pat Tormey I believe was appointed to this position on the Z.B.A. 30 years ago on a Board that included my father. And for those of you who admire extended public service, I think she out ranks us all. And when you see her, you ought to thank her for her dedication. She's raised herself all the way up to what now?"

Supervisor Janoski, "\$4,400 plus \$1,000 for acting as Chairman."

Councilman Pike, "An amazing piece of public service and she ought to be congratulated."

#455 AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER AN AMENDMENT TO SECTION 103-13.1.

Councilman Pike, "I believe that this is at the combined suggestion of the Citizens Task Force for solid waste management and Councilwoman Civiletti. We are going to have a hearing on one incremental change on how we handle newspapers at the landfill. We are going to have a hearing on whether or not the separation of that will be required instead of voluntary and to prohibit any newspapers being discarded at the landfill except where they are deposited in designated containers and storage facilities maintained at the landfill. Again, that's a July 5th hearing. I move 455."

Councilwoman Civiletti, "I just want to make one comment. I wholeheartedly endorse the idea. However, it was put forward by me on behalf of the Recycling and Collection Committee of the Citizens of the Solid Waste Task Force. And in spite of my specifically pointing that out, a couple of the members of the Citizens of the Solid Waste Task Force are here tonight. So I just want to say that in spite of my specifically pointing that out to a reporter that's not in this room, that was not how it was reported. And I like taking credit for things that I do but not for things that I don't do. I want to applaud that committee, Jack Reardon, John DiVello Jr., Victoria Sunshine and Mitchell Hagler for their work and their effort. And they will be here at the next Town Board meeting to advocate this I hope. But I do endorse this."

The vote, Boschetti, no, Pike, yes, Civiletti, yes, Lombardi, no, Janoski, yes.

The resolution as thereupon duly declared adopted.

#462 APPROVES BUDGET ALLOCATION FOR CAPITAL IMPROVEMENTS FOR WADING RIVER BEACH.

Councilman Pike, "Again, 462 involves three sites in Wading River. The boat ramp, the beach and the pond improvements. The specific list of this will be and the specific cost of them will be further developed after consultation with the civic associations and effected people in the area. There is another source of reference which is there are some suggestions in the Hamlet Study which we have adopted. But basically we have pending engineering work for the boat ramp itself. A few suggestions for improvements at the beach and the pond site is in need of shoring up. I would move 462."

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#463 APPROVES BUDGET ALLOCATION FOR CAPITAL IMPROVEMENTS FOR IRON PIER BEACH.

Councilman Pike, "463 has to do with capital improvements to the Iron Pier Beach facility. The last time we did engineering on this particular project, immediately preceded a rather precipitous storm which removed what we have engineered for. And it will be necessary to redesign the new configuration and design of a permanent launching ramp, beach pavilion facilities to withstand that sort of storm event if that is humanly possible. What we are doing is moving \$40,000 from the \$2,000 recreation fee to Iron Pier Beach Improvements to accomplish that. I move 463."

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "George."

George Schmelzer, "I would ask the Town Board to try to arrange a meeting, a public meeting, between the Town Board, attended by the full Town Board and our State Senator and our State Assemblyman so to thrash out the truth of what went on with this river business. I wish you would do that please. Arrange a meeting probably next month some time that's not a regular Town Board meeting."

Supervisor Janoski, "Quite honestly, Senator LaValle's office has been advised that the Town Board would like to have a

Supervisor Janoski, "We are going to take a short recess principally for the purpose of confusing the press. We will come back, hopefully, at a quarter past nine."

Councilman Pike, "It will involve a personnel meeting."

Supervisor Janoski, "We're doing it now so you can't identify which resolution we're talking about."

TOWN BOARD MEETING RECESSED AT 9:07
TOWN BOARD MEETING RECONVENED AT 9:33

#460 APPROVES BUDGET ALLOCATION.

Councilman Pike, "I'm going to substitute in for 460. I'm not going to vote on the original 460 because 461, 462 and 463 cover the subject matter of the original 460. I'm going to move that we accept the resignation of Vincent Gianni as a resolution from the table to fill that number."

#460 ACCEPTS RESIGNATION OF VINCENT GIANNI FROM RIVERHEAD POLICE DEPARTMENT.

Councilman Pike, "The following three resolutions which I'll move, are budget allocations which move from the \$2,000 per subdivision lot fee capital facility funds to three various projects. Just by way of short background, we have raised approximately 1 million dollars with the two thousand dollar fee. We're going to allocate 115 thousand dollars of that money tonight if all three are successful. The three projects which will be voted on separately, move 461; \$35,000 from the parks and recreation fees to the Vail Leavitt Music Hall property matching grant program. 462 moves \$40,000 to a budget line for appropriations for the Wading River boat ramp and beach and again the pond area in Wading River. And 463 allocates \$40,000 from the parks and recreation fee to improvements to the Iron Pier Beach. I will, if necessary, discuss each of those in more detail. But to take them one at a time, I will move 461 which moves \$35,000 as a matching grant to the Vail Leavitt Music Hall property matching grant program. Just as a short bit of explanation. We have a grant approval for \$300,000 under the environmental quality bond act which is state money. This money that we are beginning the matching program with was entirely raised from developer's pockets. The collective cost to the Town of Riverhead is highly indirect and is all money that is being provided by outside sources. So I would with that, move 461."

Councilman Lombardi, "Before I vote on this, I would just like to say that we don't have 2 million dollars laying around. We've got about \$300,000 laying around. We have not collected all the money from the recreational fees. I feel that this is going to cost the town more money than it's worth. I vote no."

meeting with them. The case with Assemblyman Sawicki is not true. If the Town Board wishes to follow up on that, I'm sure..."

George Schmelzer, "Then shame them into coming. We've got this meeting and we'd just like you to invite them."

Councilman Pike, "We invited them to the last big bash. They didn't show up that time George."

George Schmelzer, "Publish it if he doesn't show up. He's not running for election this year so I guess he doesn't have to show up. And also do something definite about the plank in the dam. I think the water is too d--- high. People should stop monkeying with it. I never monkeyed with it when we had ducks. Sometimes it went down through a trickle, sometimes it went high. That's nature's way. If you have a lot of rain, it goes up a few inches and no rain, it goes down. If you stop monkeying with it, the purpose would be when we have shorter rain, we'll put the plank in. And when it rains too much, we'll take the out. But the d--- plank never does come out. Nobody seems to know who put it in or why or when. What do you think Lou?"

Councilman Boschetti, "George as you know, I live down there. That high water certainly effects us."

George Schmelzer, "It effects the people on the Riverhead side more so than on the Brookhaven side I'd say. Some on Brookhaven side also. How about it?"

Supervisor Janoski, "The State D.E.C. set a level for the river. We do try to maintain that level. It has rained quite a bit and we have had some boards removed to try to drop that level down."

George Schmelzer, "There's only one board there."

Supervisor Janoski, "There are a couple locations."

George Schmelzer, "So what's the level? Do they go a line marked on the dam, a painted line this is the level it's supposed to be?"

Supervisor Janoski, "I don't know."

George Schmelzer, "Well, find out. The State controlled level, what level? Find out from the S.O.B.'s what level it is but write them, don't call them and get an answer back in writing so you might be able to hold them to it. Let them mark all the dams, put a line there where the water should be. If they say it's too wet, we can't put the paint there, well let them put it a foot higher. I don't expect you to do anything but I'm just, please do. Ok. Thank you."

Supervisor Janoski, "Thank you George. Joe."

Joe Sykora, Riverhead, "On resolution 433, I just want to know if I heard right. That zoning was changed to residential "A" and it takes in Ramblewood Mobile Home Park?"

Councilman Pike, "That's correct."

Joe Sykora, "If we were changing the zoning and we change it to residential "A", why couldn't it have been changed to a zone for mobile home park."

Supervisor Janoski, "There is no such zone?"

Joe Sykora, "Why couldn't there be?"

Supervisor Janoski, "It would have to be...."

Joe Sykora, "Why can't we vote on it."

Councilman Pike, "Do you want to?"

Joe Sykora, "Yes, because it would give them people more protection if it was zoned for mobile home parks."

Councilman Pike, "Fine, how?"

Joe Sykora, "If it was zoned for mobile home parks, it would have to be sold as a mobile home park. This way here it's zoned for residential and it can be broken up to a subdivision."

Councilman Pike, "You're suggesting that we limit it to mobile home parks."

Joe Sykora, "That's right. Just like MacLeods in Southampton is zoned mobile home park. Why couldn't we do that if it was being changed? Why don't we?"

Councilman Pike, "The idea here is to protect the town from, in the case that the developers wanted to develop it for some other purpose. Well, to some degree, done that tonight because up until tonight, somebody could have bought it and put in a shopping center."

Joe Sykora, "It still can be bought."

Councilman Pike, "Tonight, they'd have to put in residential housing at one unit per acre where they currently have residential housing at something like 10 to 20 units per acre. It doesn't seem like that pays. So I think that financial incentives in this set up so that it will stay with them and a mobile home."

Joe Sykora, "Well, if that park does go up for sale, it's going to go up for more money now than it would have before. And this way here, the people in the park wouldn't be able to afford to buy it."

Supervisor Janoski, "You thing that residential property is more valuable than commercial property?"

Joe Sykora, "I think you can sell it faster. A developer will come in faster than a business developer in that area. Because in that area, should not really be zoned for business in the first place."

Councilman Pike, "I think you'll find this something over which we disagree because that thing is as dense a residential unit as a housing development you're going to get. Those things, if they're running, produce a lot of income fairly steadily. And it's hard to imagine any commercial rental use that would generate more than what he's got invested right there. He'll sell it as a mobile home park."

Joe Sykora, "I still say that to protect the people, it could have been zoned for mobile home park."

Councilman Pike, "I don't get it. It doesn't make sense to me. We disagree about this."

Joe Sykora, "You don't get it. That's right. We will disagree about it."

Supervisor Janoski, "Joe, this is not something we just did tonight. This is part of a long process that has been going on for months and months and months."

Joe Sykora, "Who knew about it besides the Board? Did anybody in the town know about it?"

Supervisor Janoski, "Well it seems to me that we held hearings. It's been published in the paper."

Joe Sykora, "I never heard of a hearing on this. It was only the Hamlet Study of Wading River. Is that the hearing we're talking about?"

Supervisor Janoski, "Yes. That was part of it."

Joe Sykora, "It was never mentioned about the mobile home park being in it."

Supervisor Janoski, "Is the mobile home park in the Hamlet of Wading River?"

Joe Sykora, "Well, that's what somebody told me."

Supervisor Janoski, "Joe, are you requesting that the Town Board consider the creation of a mobile home park zone and add it to the code."

Joe Sykora, "Yes."

Supervisor Janoski, "Well, we have all heard you and we'll see if anybody wants to create one and introduce it."

Joe Sykora, "I know I spoke to Mr. Stark and he would be very glad if his park was zoned for mobile home parks. And he told me right on the radio, Bruce Tria's program."

Supervisor Janoski, "Quite honestly, there have been a number of discussions on the line that you are taking which would build some protection into the residents of parks. That there would be no alternate use or that they would have to in some way be compensated should there be a sale of the land and those discussions have gone on. But what you're suggesting on the surface, not the intent but the creation of a mobile home park zone; that should be an interesting public hearing. But the town doesn't have such a town because we have (I guess) 18 or 19."

Joe Sykora, "I know that we would like it."

Supervisor Janoski, "Perhaps there is another direction that we could identify that would protect the rights of existing residents, residents of existing parks to the degree that you're looking for without the creation of a zone in the town which allows for that particular use. So why don't we explore it and see."

Joe Sykora, "That's what I'm asking."

Supervisor Janoski, "I have been. I haven't gone in that direction but I have been looking at some ways of accomplishing what you want."

Joe Sykora, "Thank you."

Supervisor Janoski, "Steve."

Steve Haizlip, "Mr. Pfeiffer was doing a good job of thanking the Recreation Department. I think it's in order and duty to thank the Highway Committee here for doing excellent jobs of the problems that I've been in finding and reporting to them. Now, before I leave from here, John, I know that you and Mr. Boschetti is aware of Harrow's and Dunkin Donut's problem. And all I'm saying is what would be the latest progress or reported progress that you have gotten that any action is going to be taken there because the holes are getting bad."

Councilman Lombardi, "Well, Harrow's was being worked on today, the back door and I sent down the Building Department to

check it out. We are going to be sitting down, I know Pat Moore is going to be sitting down with Newmark and Lewis to discuss their reconstruction of that area and we're going to go after Mr. Segal."

Steve Haizlip, "Very good. Thank you."

Supervisor Janoski, "Thank you Steve. Without objection, this meeting is adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:52 p.m.



Irene J. Pendzick
Town Clerk

IJP:nm